

SOIL CONSERVATION AND WATER QUALITY DIVISION[27]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 207.21(5)“a” and 208.17(5), the Division of Soil Conservation and Water Quality hereby amends Chapter 6, “Contracts for Public Improvements and Professional Services,” Iowa Administrative Code.

The minimum estimate for work and maintenance projects requiring public bidding is increased from \$25,000 to \$100,000 under these amendments. Competitive quotations can be used for work estimated to cost less than \$100,000. These amendments require notice to be posted on Web sites instead of published in newspapers, and the minimum number of days for notice is changed from 15 days to 13 days.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 2868C** on December 21, 2016. No comments were received from the public. These amendments are identical to those published under Notice.

After analysis and review of this rule making, no adverse impact on jobs has been found.

These amendments are intended to implement Iowa Code section 26.3 and 2016 Iowa Acts, Senate File 2170.

These amendments will become effective March 22, 2017.

The following amendments are adopted.

ITEM 1. Amend rule 27—6.2(17A,161A,159,207,208), parenthetical implementation statute, as follows:

27—6.2(17A,26,161A,159,207,208) Contracts for public improvements.

ITEM 2. Amend subrule 6.2(2) as follows:

6.2(2) *Invitation for bids.* When the total estimated cost of a public improvement project exceeds the sum of ~~\$25,000~~ \$100,000, the division shall advertise for sealed bids by ~~publishing~~ posting a notice of “Invitation for Bids” ~~in at least one newspaper of statewide circulation, one newspaper published in the county seat of the county in which the work is to be done and such other means as may be appropriate in sufficient time to enable prospective bidders to prepare and submit bids, provided that one of said notices shall be on the department’s Web site, a relevant contractor plan room service with statewide circulation and a relevant construction lead generating service with statewide circulation not less than 15~~ 13 days prior to the date set for receiving bids. ~~Where work is to be done under the contract in more than three counties, the requirement of publication in the county seat shall not be required so long as other means of notice to bidders is given, as in trade journals or other such means.~~ Plans, specifications and the contract form shall be provided to all prospective bidders as provided in the invitation for bids.

ITEM 3. Amend subrule 6.2(4) as follows:

6.2(4) *Solicitation of quotations.* Competitive quotations may be solicited on public improvement projects estimated by the division to cost less than ~~\$25,000~~ \$100,000. At least three quotations shall be solicited unless there are an insufficient number of local, qualified contractors interested in the project.

ITEM 4. Amend **27—Chapter 6**, implementation sentence, as follows:

These rules are intended to implement Iowa Code chapters 17A, 159, 161A, 207 and 208 and Iowa Code section 26.3.

[Filed 1/25/17, effective 3/22/17]

[Published 2/15/17]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 2/15/17.